

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JOSEPH KRUPPENBACHER,

Plaintiff,

– against –

ANTHONY J. ANNUCCI, Acting  
Commissioner of the New York  
State Department of Corrections  
and Community Supervision, *et al.*,

Defendants.  
-----X

**ORDER**

No. 20-CV-108 (CS)

Seibel, J.

By Order dated April 7, 2021, the Court ordered that if Plaintiff wished to pursue the case, he had to submit a letter saying so, no later than April 27, 2021, and that failure to do so would result in the dismissal of the complaint under Federal Rule of Civil Procedure 41(b) without prejudice for failure to prosecute. (Doc. 30). The Clerk of Court mailed the Order to Plaintiff the same day. On April 26, 2021, the Clerk of Court reported that the Order had been returned to sender as “Refused Unable To Forward, Refused to sign! RTS Inmate Refused, Refused 3rd Time, Returned Opened.” The Court will give Plaintiff one final chance to respond. If the Court does not hear from Plaintiff by May 17, 2021 that he wants to pursue this case, it will be dismissed as described.

The Clerk of Court is respectfully directed to send a copy of this Order, and Doc. 30, to Joseph Kruppenbacher, DIN 09-A-2532, Clinton Correctional Facility, P.O. Box 2001, Dannemora, NY 12929.

**SO ORDERED.**

Dated: April 26, 2021  
White Plains, New York

  
CATHY SEIBEL, U.S.D.J.